

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

DAH

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
CA	BPED -890619MH N/M	NEW 89.3MHZ	KCBX, INC. SAN LUIS OBISPO CA	CP FOR NEW ED FM ON FREQUENCY 89.3 MHZ, #207; ERP 5.3 KW H&V HAAT 433 METERS H&V 35 21 37 120 39 17

LICENSE EXPIRATION DATE _____

CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____
 CONTESTED () UNCONTESTED ()

APPROVED _____

FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

RECEIVED

JUN 19 1989

LAW OFFICES

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Federal Communications Commission
Office of the Secretary
SUITE 600
1333 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20036-1573

TELEPHONE (202) 293-3860
CABLE COMAR-WASHINGTON, D. C.
TELECOPIER (202) 293-4827

June 19, 1989

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: New Noncommercial FM
San Luis Obispo, CA

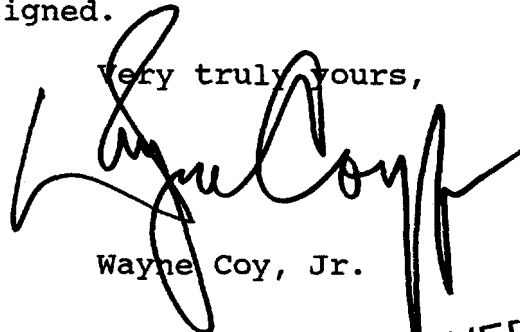
Dear Ms. Searcy

Transmitted herewith, on behalf of KCBX, Inc., licensee of noncommercial educational broadcast station KCBX (FM), San Luis Obispo, are the original and two (2) copies of its application for a second noncommercial FM in that same market.

Since the applicant is a non-profit organization and the application proposes a new noncommercial station, no filing fee is required.

Should you have any questions with respect to this filing, please contact the undersigned.

Very truly yours,



Wayne Coy, Jr.

Enclosure

WC/mtg

JUN 20 3 02 PM '89
AUDIO SERVICE
DIVISION

RECEIVED
JUN 20 1989
FM EXAMINERS

ORIGINAL

BPED-890619MH
For Commission Use Only
File No.

**APPLICATION FOR CONSTRUCTION PERMIT FOR
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION**
(Carefully read instructions before filling out Form—RETURN ONLY FORM TO FCC)

RECEIVED

JUN 19 1989

Section I

General Information

1. Name of Applicant

KCBX, INC.

Street Address

Federal Communications Commission
Office of the Secretary

4100 VASHEL L LANE

City

State

ZIP Code

Telephone No.

SAN LUIS OBISPO

CA

93401-2302

(Include Area Code)

(805) 544-5229

Send notices and communications to the following named person at the address below:

Name

Frank R. Lanzone, Jr.

Street Address

(see above)

City

State

ZIP Code

Telephone No.

(Include Area Code)

2. This application is for: ☐ AM ☐ FM ☐ TV

(a) Channel No. or Frequency: 207B (89.3 MHz)

(b) Community of license:

City

State

SAN LUIS OBISPO

CA

(c) Check one of the following boxes:

- ☒ Application for new station
☐ Major Change in Existing station; call sign:
☐ Minor Change in Existing station; call sign:
☐ Modification of Construction Permit; File No. of CP:
☐ Amendment to Pending Application; Reference Number (ARN):

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐ YES ☒ NO

If Yes, State:

Call letters:

Community of license:

City

State

Entered
7.13.89

Section II

Legal Qualifications

Name of Applicant

KCBX, Inc.

1. (a) Applicant is: (Check one box below)

- ☐ a general partnership operating on a nonprofit basis ☒ a nonprofit corporation
- ☐ a limited partnership operating on a nonprofit basis ☐ Other (specify)
- ☐ a governmental or public educational agency or institution

If the applicant is an unincorporated association or a legal entity other than a partnership, nonprofit corporation, or a governmental or public educational agency or institution, describe in Exhibit No. ____ the nature of the applicant.

- (b) Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or any other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended. ☐ YES ☒ NO

If Yes, provide particulars as Exhibit No. ____

- (c) Does the applicant certify that copies of all pertinent documents set out in (b) are in the public inspection file? ☒ YES ☐ NO

Describe in Exhibit No. 1 how the proposed station will be used for the advancement of an educational program. This does not apply if applicant is applying for change in facilities.

Citizenship And Other Statutory Requirements

2. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and Foreign governments? ☒ YES ☐ NO

- (b) Will any funds, credits, etc., for the construction, purchase or operation of the station be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents? ☐ YES ☒ NO

If yes, provide particulars as Exhibit No. ____

3. (a) Has an adverse finding been made, adverse final action taken or consent decree approved by any court or administrative body as to the applicant or any party to the application in any civil or criminal proceeding brought under the provisions of any law related to the following subjects: Any felony, antitrust, unfair competition, fraud, unfair labor practices or discrimination? ☐ YES ☒ NO

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a)? ☐ YES ☒ NO

If the answer to (a) or (b) above is Yes, attach as Exhibit No. ____ a full disclosure concerning the persons and matters involved, identifying the court or administrative body and the proceeding (by dates and file numbers), stating the facts upon which the proceeding was based or the nature of the offense committed, and disposition or current status of the matter.

Section II (page 2)

Legal Qualifications

Applicants are reminded that questions 4 through 5 of this Section must be completed as to all "parties to this application" as that term is defined in the instructions to Section II of this form.

Table I Parties To Application

4. Complete Table I with respect to all parties to this application.

(Note: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification)

INSTRUCTIONS: If applicant is partnership, fill out columns (a), (b), and (d), stating as to each general or limited partner (including silent partners): (a) name and residence, (b) nature of partnership interest (i.e., general or limited), and (d) percent of ownership interest. If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificate or other ownership interest, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interest. If applicant is governmental or public educational agency or institution, fill out columns (a) and (c) as to all members of the governing board and chief executive.

Name and Residence Address(es) (a)	Nature of Partnership Interest or Office Held (b)	Director or Member of Governing Board		% of: Ownership (O) or Partnership (P) or Voting Stock (VS) or Membership (M) (d)
		YES	NO	
		(c)		
	See 323E Attached.			

5. Has the applicant or any party to this application had any interest in:

- (a) a broadcast application which has been dismissed with prejudice by the Commission? ☐ YES ☒ NO
- (b) a broadcast application which has been denied by the Commission? ☐ YES ☒ NO
- (c) a broadcast station, the license of which has been revoked? ☐ YES ☒ NO
- (d) a broadcast application in any Commission proceeding which left unresolved character issues against that applicant? ☐ YES ☒ NO
- (e) If the answer to any of the questions above is Yes, attach Exhibit No. _____, stating the following information:

- (1) Name of party having such interest;
- (2) Nature of interest or connection, giving dates;
- (3) Call letters of stations or file number of application, or docket number;
- (4) Location.

Ownership and Control

6. Are there any documents, instruments, contracts, or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interest) or control? ☐ YES ☒ NO

If Yes, provide particulars as Exhibit No. _____.

7. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission [pursuant to 47 U.S.C. 310(d)] will be obtained? N/A. ☐ YES ☐ NO

If No, attach as Exhibit No. _____, a full explanation.

Section III**Financial Qualifications**

Note: If this application is for a change in an operating facility, **DO NOT** fill out this section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☒ YES ☐ NO
2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ YES ☒ NO

NOTE: If either 1 or 2 is answered "Yes", your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration no further action on your part is required. If you rely on funds from a source specified in Question 2, you must advise the F.C.C. when the funds are committed or appropriated. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. Except as indicated in Questions Numbered 1 and 2 above, the applicant certifies that:
- (a) It has a reasonable assurance of present commitments from each donor, from each party agreeing to furnish capital, from each bank, financial institution or others agreeing to lend funds, and from each equipment supplier agreeing to extend credit: ☒ YES ☐ NO
- (b) It can and will meet all contractual requirements as to collateral, guarantees, and capital investments or donations: ☒ YES ☐ NO
- (c) It has determined that a reasonable assurance exists that all such sources (excluding banks, financial institutions, and equipment manufacturers) have sufficient net liquid assets to meet these commitments. ☒ YES ☐ NO
4. The applicant certifies, except as noted above, that sufficient net liquid assets are on hand or available from committed sources to construct and operate the requested facilities for three months without additional funds. ☒ YES ☐ NO

Section IV**Program Service Statement**

For AM, FM and TV Applications

Attach as Exhibit No. 2, the applicant's purpose and objective in establishing the proposed station and a statement of proposed program policies. If applicant already has such information on file, indicate file number and detail changes, if any.

Section VI**Equal Employment Opportunity Program**

1. Does the applicant propose to employ five or more fulltime employees?

☐ YES ☒ NO

If the answer is Yes, the applicant must include an EEO program called for in the separate 5 Point Model EEO Program [FCC Form 396 (A)].

Section VII**Certification**

1. Has or will the applicant comply with the public notice requirement of Section 73.3580 of the Commission's Rules?

☒ YES ☐ NO

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with Section 1.65 of the Commission's Rules, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.

U.S. CODE, TITLE 18, Section 1001.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 16th day of June

19 89

KCBX, Inc.

Name of Applicant

John P. Poyne Jr.

Signature

President

Title

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested Permit.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

EXHIBIT 1
FCC FORM 340
JUNE, 1989

EXHIBIT 1

KCBX, INC. a non-profit corporation, has been a licensee of the Commission since July 1975, when noncommercial, educational KCBX (FM), San Luis Obispo, went on the air. Its Articles of Incorporation and By-laws have been on file at the FCC since that time. The station being applied for will operate from the same location as KCBX (FM).

KCBX (FM)'s service area has always warranted a full-time classical radio service and a full-time jazz radio service. Unfortunately, the economics of the Central Coast have prohibited two separate stations from being financially viable. Thus, KCBX has provided a combined classical, jazz, news and public affairs service.

However, the service area population has almost doubled since 1975 and is expected to grow at an even greater rate through 1995. Combining both stations under one roof and sharing overhead costs will reduce the expenses for this proposed station.

Not only will the proposed station allow KCBX to provide full time classical and jazz services, it will provide additional opportunities to increase news and public affairs offerings as well. KCBX also anticipates increased exposure for local fine arts groups as well.

EXHIBIT 2

KCBX, Inc. is a non-profit corporation, incorporated under California law, solely and expressly organized and created to be the licensee of a noncommercial educational broadcast station. It is currently the licensee of KCBX (FM), San Luis Obispo, CA.

KCBX, Inc. will operate the proposed station as a public radio station serving the city and county of San Luis Obispo and the surrounding communities. A major purpose of the station will be to provide programming which improves the educational and cultural level of the community. Currently existing station KCBX provides a combination of classical music, jazz, and news and informational programming to the above-mentioned communities. KCBX has witnessed (during the past ten years) a growing need for a full service public radio station that meets the cultural, classical, and arts needs of the San Luis Obispo area. KCBX has determined by assessing subscribers, listeners, and leaders in the community that the best way to meet the needs of this area is to provide an additional broadcast service which will emphasize the cultural aspects and needs of the California Central Coast. It is anticipated that broadcasts of local, cultural, and musical events will be increased when the new channel becomes operational. Currently, KCBX broadcasts classical events such as the San Luis Obispo County Symphony Orchestra, the Santa Maria Symphony Orchestra, and cultural offerings available at the California Polytechnic University at San Luis Obispo.

The current KCBX studios have been designed to accommodate an additional studio, from which programming can originate, specifically designed to meet the special issues and needs of an all-cultural, classical, public radio station. It is anticipated that the construction costs and operational costs of an additional channel can be paid through the acquisition of grants, underwriting, and contributions from listeners. Interest in this project from all quarters has been so positive that it is anticipated that a sufficient financial base will be established soon after FCC licensing has been secured.

Exhibit 2
continued

During the past ten years, the Central Coast has nearly doubled in population and matured to the point where a second public radio station fulfilling the artistic, cultural and classical music needs of this increasingly sophisticated audience is needed. It is KCBX's desire as the only full service public radio station to meet the needs with a second public radio outlet.

KCBX has an overall purpose to broadcast those programs and issues pertinent to its listeners and has found that it can best serve the community by meeting its needs. Because of this commitment to the community, KCBX has continued to see listenership and financial support increase steadily.

CERTIFICATION OF SITE AVAILABILITY

1. The applicant certifies that it has reasonable assurance in good faith that the site or structure proposed in Items 1 and/or 2, Section V-G, FCC Form 301, as the location of its transmitting antenna, will be available to the applicant for applicant's intended purpose.

YES X

NO

If no, explain fully:

Note: It is proposed to combine the new station on the same antenna as authorized for KCBX (FM).

2. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

C. Stephen Burrell
Name of Person Contacted

(805) 544-1962
Telephone Number

Person contacted (check one):

Owner Owner's Agent X Other (specify)


Applicant's Signature

June 14, 1989
Date

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

OWNERSHIP REPORT
FOR NONCOMMERCIAL EDUCATIONAL TV, FM, OR
STANDARD BROADCAST STATION

INSTRUCTIONS

1. This report is to be filed as follows by noncommercial educational TV, FM, or AM broadcast stations (See Section 1.615):
(a) By licensees with the application for renewal of station license.

(b) By licensees or permittees within 30 Days after the consummation, pursuant to Commission consent, of a transfer of control, or an assignment of license or the grant of an original construction permit.
(c) By licensees or permittees within 30 days after changes in the information called for by this form.
(d) File one copy with the Federal Communications Commission, Washington, D.C. 20554. If information submitted is equally applicable to each station above listed, one report may be filed for all such stations; otherwise a separate report shall be filed for each station.
(e) This form is to be filled out completely when filed pursuant to (a) and (b) above. When filled out pursuant to (c), changes only need be noted.

2. Any contract or modification of contract relating to the ownership, control, or management of the licensee or permittee must be filed with the Commission, as required by Section 1.613 of the Rules. Attention is directed to the fact that Section 1.613 requires the filing of all contracts of the types specified and is not limited to executed contracts but includes options, pledges, and other executory agreements and contracts relating to ownership, control, or management.

3. This form should be used to report all types of transactions concerning agreements and voting control.

4. If the licensee or permittee is directly or indirectly controlled by another entity, a separate Form 323E should be submitted to report changes in the offices and directors of such entity.

5. This form is not to be used to report or request a transfer of control or assignment of license or construction permit (except to report a transfer of control or assignment of license made pursuant to prior Commission consent). The appropriate forms for use in connection with such transfers or assignments are FCC Forms 314, 315, and 316. It is the prime responsibility of the licensee or permittee to determine whether a given transaction constitutes a transfer of control or an assignment.

6. The official title of the respondent must be an officer in the licensee or permittee corporation or association, or in case of a governmental or public educational agency, a duly authorized administrative representative thereof.

1711.002
8-1-61
FOR COMMISSION USE ONLY

File No.:

Name of Applicant

KCBX, INC

1. All of the information furnished is reported as of

February 1, 1988

(Date must comply with Section 1.615(a) when box 1(a) below is checked)

This report is filed pursuant to instruction (Check One)

1(a) ☐ Renewal

(b) ☐ Transfer of Control,
Assignment of License, or
Construction Permit

(c) ☒ Change of prior report, for the following stations:

Call sign KCBX

Type of station FM Non-commercial Class B

Location

City

San Luis Obispo

State

California

2. List all contracts and other instruments set forth in Section 1.613 (attached) of the Commission's Rules and Regulations

Description of contract or instrument

N/A

Name of person or organization with whom contract is made

Date of execution

Date of expiration

3. Is the governing board directly or indirectly under the control of another entity?

YES ☐ NO ☒

If "Yes", give name and nature of entity

4. Show the interests in any other broadcast station of the licensee or permittee, or any of its officers, members of the governing board, and holders of 1% or more ownership interest, if any.

N/A

5. Give the following information as to applicant's officers, members of governing board, and holders of 1% or more ownership interest, if any.

NAME AND RESIDENCE	OFFICE HELD	CITIZENSHIP	PRINCIPAL PROFESSION OR OCCUPATION	BY WHOM APPOINTED OR ELECTED
PLEASE SEE ATTACHED LIST				

Section 316(b) of the Communications Act of 1934 requires that consent of the Commission must be obtained prior to the assignment or transfer of control of a station license or construction permit. This form may not be used to report or request an assignment of license or transfer of control (except to report an assignment of license or transfer of control made pursuant to prior Commission consent).

CERTIFICATION

(Date of certification must be within 30 days of date shown in Item 1 when box 1(a) is checked and in no event prior to Item 1 date.)

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 1st day of February, 19 88.

KCBX, INCORPORATED

(NAME OF LICENSEE OR PERMITTEE)

By

T. K. Samzone, Jr.
(SIGNATURE)

Title PRESIDENT/GENERAL MANAGER

WILLFUL FALSE STATEMENTS MADE ON THIS FORM
ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U. S. CODE, TITLE 18, SECTION 1001.

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended.

The principal purpose(s) for which the information will be used is to determine if the benefit requested is consistent with the public interest.

The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing.

If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information.

Accordingly, every effort should be made to provide all necessary information.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3).

OWNERSHIP REPORT -- ITEM # 5

Mrs. Melanie Billig
former Mayor
1460 Mill Street
San Luis Obispo, CA 93401

board member

Mr. David Cox
radio management
270 Foothill
San Luis Obispo, CA 93401

board member

Mr. Stephen Dorsi
attorney
1026 Chorro Street #6
San Luis Obispo, CA 93401

board chair

Dr. J.R. Gates
pharmacist
125 Serrano Heights
San Luis Obispo, CA 93401

board member

Mr. Frank Lanzzone, Jr.
radio management
2103 Johnson Avenue
San Luis Obispo, CA 93401

president

Ms. Chris Anderson
business manager
1022 Church St
San Luis Obispo, CA 93401

Chief Financial Officer/secretary

Section V-B

FM Broadcast Engineering Data

Name of Applicant KCBX, Inc.

1. Purpose of authorization applied for:

☒ Construct a new station☐ Install Auxiliary system

Change:

☐ Effective radiated power☐ Frequency☐ Antenna height above average terrain☐ Transmitter location☐ Studio location outside community of license☐ Other (Summarize briefly the nature of the changes proposed.)

2. Community of license:

State

California

City or Town

San Luis Obispo

3. Facilities requested:

Frequency

Channel No.

Class (Check one below)

89.3 MHz 207☐ A ☒ B ☐ B1 ☐ C ☐ C1 ☐ C2 ☐ D

4. Geographic coordinates of antenna (to nearest second)

North Latitude 35° 21' 37" West Longitude 120° 39' 17"

5. Effective radiated power:

Polarization

Horizontal Plane

Maximum (Beam tilt only)

Horizontal 5.3 kW kWVertical 5.3 kW kW

6. Height in meters of antenna radiation center:

Above
Average terrain (HAAT)Above
Mean Sea LevelAbove
GroundHorizontal 433 meters 766 meters 21 metersVertical 433 meters 766 meters 21 meters

7. Is a directional antenna being proposed?

☐ YES ☒ NOIf Yes, attach as Exhibit No. an engineering statement with all data specified in Section 73.316(d) of the Commission's Rules.

8. Transmitter location: State California County San Luis Obispo
City or Town _____ Street Address (or other identification) _____
8.8 km north of Cuesta Peak
San Luis Obispo
9. Overall height of complete structure above ground, including all appurtenances and lighting (if any, see Part 17). 140 meters
10. Attach as Exhibit No. * map(s) (*Sectional Aeronautical charts or equivalent*) of the area proposed to be served and shown thereon:
Source: Sectional Aeronautical Chart
(a) Proposed transmitter location and the radials along which the profile graphs have been prepared;
(b) The 1mV/m predicted contour;
(c) Area (sq. mi.) and population (*latest census*) within 1 mV/m contour;
(d) Scale of miles or kilometers (*kilometers if available*).
11. Attach as Exhibit No. _____ a map (*Sectional Aeronautical charts where obtainable*) showing the present and proposed 1 mV/m (60 dbu) contours.
Enter the following from Exhibit above: Gain Area _____ sq. mi.
Loss Area _____ sq. mi.
Percent change (gain area plus loss area as percentage of present area) _____ %.
If 50% or more this constitutes a major change. Indicate in question 2(e), Section I, accordingly.
12. If the main studio will not be within the boundaries of the principal community to be served, attach as Exhibit No. _____ a justification pursuant to Section 73.1125(f) of the Commission's Rules.
13. Attach as Exhibit No. * map(s) (*7.5 minute U.S. Geographic Survey topographic quadrangles if available*) of the proposed antenna location showing the following information:
(a) Proposed transmitter location accurately plotted with the latitude, the longitude lines clearly marked and showing a scale of statute kilometers.
(b) Transmitter location and call letters of all AM broadcast stations within 2 miles of the proposed antenna location.
14. If there are any FM or TV stations within 200 feet of proposed antenna or non-broadcast radio stations (*except amateur and citizens band*), or established commercial and government receiving stations in the general vicinity which may be adversely affected by the proposed operation, attach as Exhibit No. * the expected effect, a description of remedial steps that may be pursued if necessary, and a statement from the applicant accepting full responsibility for the elimination of any objectionable effect on existing stations.

*See attached Engineering Exhibit

15. Tabulation of Terrain Data. (Calculated in accordance with the procedure prescribed in Section 73.313 of the Commission's Rules utilizing 7.5 minute topographic maps, if available.)

Radial bearing (degrees true)	Height of antenna, radiation center above average elevation of radial (3-16 kilometers) Meters	Predicted Distance
		To the 1 mV/m contour Kilometers
0°	400	50.1
45°	391	49.6
90°	341	46.7
135°	135	31.5
180°	654	62.8
225°	606	61.0
270°	600	60.8
315°	339	46.6

Allocation Studies

(See Subpart C of Part 73 of the Commission's Rules and Regulations)

16. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico? ☐ Yes ☒ No

If Yes, attach as Exhibit No. ____ a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

17. With regard to stations within 320 kilometers (199 miles) of the common border between the United States and Mexico, attach as Exhibit No. ____ information required in 1/.

18. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), then with regard to stations more than 320 kilometers (199 miles) from the common border between the United States and Mexico or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as Exhibit No. ____ a complete allocation study to establish the lack of prohibited overlap of contours involving these stations. The allocation study should include the following:

- The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
- Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
- Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
- Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
- Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
- When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
- A scale of miles and properly labeled longitude and latitude lines, shown across the entire (Exhibit(s)). Sufficient lines should be shown so that the location of the sites may be verified.
- The name of the map(s) used in the exhibit(s).

1/ A showing that the proposed operation meets the minimum distance separation requirements. If any separations are proposed that are less than the applicable minimum separation requirements plus 15 kilometers, include these stations. Also include existing stations, proposed stations, and cities which appear in the Table of Assignments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

*See Engineering Exhibit

19. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

☐ Yes ☒ No

If Yes, attach as Exhibit No. ____ a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

20. With regard to station separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as Exhibit No. ____ * information required in 1/(separation requirements involving intermediate frequency [i.f.] interference).

21. Is the proposed operation on Channel 218, 219 or 220?

☐ Yes ☒ No

If Yes, attach as Exhibit No. ____ information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222, and 223.

22. Is the proposed station for a channel in the range from Channel 201 to 221 (88.1-91.9 MHz) and the proposed antenna location within the Grade B contour of a channel 6 television station or sufficiently near the Grade B contour that a question of interference to channel 6 may be raised?

☒ Yes ☐ No

Appendix A

If Yes, attach as Exhibit No. ____ a map showing the Grade B contour of the television station and the proposed antenna location. Also include discussion of the possibility of interference to the Channel 6 station and the steps proposed to remedy any interference which may occur.

23. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

☐ Yes ☒ No

If Yes, attach as Exhibit No. ____ information required in 1/ (Except for class D [secondary] proposals.)

24. If the proposed antenna location is in or near a populated area, attach Exhibit No. ____ a discussion of blanketing and the steps proposed to remedy any interference which may occur.

25. Environmental Statement, See Part I, Subpart 1 of the Commission's Rules.

Would a Commission grant of this application be a major action as defined by Section 1.1305 of the Commission's Rules?

☐ Yes ☒ No

If Yes, attach as Exhibit No. ____ a narrative statement in accordance with Section 1.1311 of the Commission's Rules.

If No, explain briefly.

See attached Engineering Exhibit

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

Hammitt & Edison, Inc.
Consulting Engineers

Leonard G. Filomeo, P.E.

Name

June 8, 1989

Date


Signature (check appropriate box below)

Box 280068
Address (include ZIP Code)

* See attached Engineering Exhibit

San Francisco, California 94128

(415) 342-5200

Telephone No. (include Area Code)

☐ Technical Director

☒ Registered Professional Engineer

☐ Chief Operator

☒ Technical Consultant

☐ Other (Specify)

Section V-G

Antenna and Site Information

Name of Applicant

Call Sign

Station Location

KCBX, Inc.

San Luis Obispo, California

Purpose of Application (Put "X" in appropriate box)

- ☐ New antenna construction
☒ Alteration of existing antenna structure
☐ Change in location

Facilities Requested

FM Channel 207, 89.3 MHz
 5.3 KW ERP
 433 m above average Terrain

1. Location of Antenna:

State

County

City or Town

California

San Luis Obispo

8.8 km north of San Luis Obispo

Exact antenna location (*street address*). If outside city limits, give name of nearest town and distance and direction of antenna from town.

Cuesta Peak

Los Padres National Forest

FM antenna side-mounted on existing KSBY-TV tower

Geographical coordinates (*to nearest second*). For directional antenna give coordinates of center of array. For single vertical radiator give tower location.

North Latitude 35° 21' 37"

West Longitude 120° 39' 17"

2. Is the proposed site the same transmitter-antenna site of other stations authorized by the Commission or specified in another application pending before the Commission?

☒ YES ☐ NO

If Yes, give call sign:

KSBY TV, KKUS(FM), KCBX(FM), KDDB(FM), KLZZ(FM)

3. Has the FAA been notified of proposed construction?

☐ YES ☒ NO

If Yes, give date and office where notice was filed.

4. List all landing areas within 5 miles of antenna site. Give distance and direction to the nearest boundary of each landing area from the antenna site.

Landing Area	Distance	Direction
(a) <u>Calif. Polytechnic Univ.</u>	<u>3.5 mi</u>	<u>194°</u>
(b) <u>O'Sullivan AAF/NG</u>	<u>4.8 mi</u>	<u>247°</u>
(c) _____	_____	_____

5. Attach as Exhibit No. * a description of the antenna system, including whether tower(s) are self-supporting or guyed. If a directional antenna, give spacing and orientation of towers.

Tower		#1	#2	#3	#4	#5	#6
Overall height above ground (include obstruction lighting)	meters	140					
	feet	459					
Overall height above mean sea level (include obstruction lighting)	meters	885					
	feet	2904					

6. Attach as Exhibit No. * a vertical plan sketch for the proposed total structure (including supporting building, if any) giving heights above ground in feet and meters for all significant features. Clearly indicate existing portions, noting lighting, and distinguish between the skeletal or other main supporting structure and the antenna elements.

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

June 8, 1989

Hammett & Edison, Inc.
Consulting Engineers
Leonard G. Filomeo, P.E.

Name

Leonard G. Filomeo

Signature (Check appropriate box below)

Box 280068

Address (include ZIP Code)

San Francisco, California 94128

(415) 342-5200

Telephone No. (Include Area Code)

☐ Technical Director

☒ Registered Professional Engineer

☐ Other (specify)

☒ Technical Consultant

☐ Chief Operator

*See attached Engineering Exhibit

KCBX, INC.

**NEW FM STATION
89.3 MHZ, CHANNEL 207B
SAN LUIS OBISPO, CALIFORNIA**

**ENGINEERING EXHIBIT IN SUPPORT OF
APPLICATION FOR CONSTRUCTION PERMIT**

June 8, 1989

**Hammett & Edison, Inc.
Consulting Engineers
San Francisco**

**NEW FM STATION
89.3 MHZ, CHANNEL 207B
SAN LUIS OBISPO, CALIFORNIA**

STATEMENT OF LEONARD G. FILOMEO, CONSULTING ENGINEER

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by KCBX, Inc., to prepare the engineering portion of an application for construction permit to establish a new noncommercial educational FM station to operate with Class B facilities on 89.3 MHz, Channel 207B, at San Luis Obispo, California.

PROPOSED CONDITIONS

It is proposed to transmit from a site on Cuesta Peak, 8.8 km north of San Luis Obispo. It is proposed to combine the new station on the same antenna as authorized in the current KCBX construction permit, File Number BPED-880119IE. The proposed station will therefore have a height above average terrain of 433 meters and effective radiated power of 5.3 kilowatts which is the maximum combination of facilities allowed for a Class B station.

A combiner will be used to provide isolation between the two transmitters and to prevent the generation of intermodulation products. The combiner has an insertion loss to the proposed station of 0.5 dB and would have an insertion loss of 0.15 dB to the KCBX(FM) facility. Sufficient transmitter power is available to KCBX for it to achieve its authorized ERP with the additional loss of the combiner in its transmission line. An application for license modification will be filed by KCBX within 10 days following completion of the changes.

It is proposed to operate the transmitter by remote control from the main studios, which will be located in San Luis Obispo, California.

ALLOCATION CONDITIONS

An allocation study has been performed considering the seven channels from 204 to 210. The following assignments, applications and allotments have been considered:

<u>Channel</u>	<u>Most Critical Assignments, Applications or Allotments</u>	<u>Distance From Proposed Operation</u>
204B	KSCA Santa Barbara, California File Number BLED-850325KP	134 km
205B	KUSP Santa Cruz, California File Number BLED-1275	146 km

**NEW FM STATION
SAN LUIS OBISPO, CALIFORNIA**

<u>Channel</u>	<u>Most Critical Assignments, Applications or Allotments</u>	<u>Distance From Proposed Operation</u>
205A	KXLU Los Angeles, California File Number BLED-662	257 km
206B1	KPRX Bakersfield, California File Number BPED-840801IA	161 km
207B	KVPR-FM Fresno, California File Number BLED-800318AE	220 km
208A	Application Santa Barbara, California Tendered on May 30, 1989	134 km
209A	KVLM Prunedale, California File Number BLED-860224KB	173 km
210A	KFER Santa Cruz, California File Number BPED-840110AA	216 km
210B	KCRW Santa Monica, California File Number BLED-810325AF	251 km

An attached map shows the results of the allocation studies for the proposed operation on Channel 207 in San Luis Obispo. The allocations studies show that the proposed operation would not cause or receive interference with regard to any stations either existing or proposed. The closest stations spaced 53 and 54 channels from the proposed station is Station KTYD, Channel 260B, Santa Barbara, at a distance of 133 kilometers and a proposed allocation of Channel 261A to Guadalupe, California, at a distance of 40 kilometers. Both stations exceed the required distances of 20 and 14 kilometers, respectively.

TRANSLATORS

An application has been filed to establish FM translator service to San Luis Obispo on Channel 207 from a nearby site. The translator application is thereby mutually exclusive with this application and, as a secondary service, the translator would have to change channel should this full-service application be granted.

**NEW FM STATION
SAN LUIS OBISPO, CALIFORNIA**

PROTECTION OF TV CHANNEL 6

The proposed station will be located at Cuesta Peak on the same tower with KSBY-TV, Channel 6, San Luis Obispo, California. The Grade B contour of KSBY-TV is shown in Appendix A. The proposed ERP of 5.3 kilowatts is below the limit of 12 kW set for co-located stations on Channel 207 in Section 73.525(d)(1) of the FCC Rules. FM Station KCBX has been operating at Cuesta Peak in the noncommercial educational "reserved" band for many years without causing interference to the audience of KSBY-TV. Cuesta Peak is a mountaintop site located in a isolated rural area about 5 kilometers removed from any populated areas. The location of the proposed FM facilities together with KSBY-TV at this isolated site is not expected to interfere with reception of KSBY-TV. For these reasons, KSBY-TV has provided the applicant with a letter shown in attached Appendix B concurring with the proposed noncommercial educational facilities, in satisfaction of the requirement of Section 73.525 of the rules. It is my considered opinion that no interference will be caused to Channel 6 as a result of the proposed facilities.

TERRAIN AND COVERAGE DATA

The locations of the 70 and 60 dBu field strength contours for the proposed operation have been determined in accordance with the procedures specified in the FCC Rules and are shown on an attached map. The average elevations of terrain in the pertinent directions are those on file for KSBY-TV.

The population within the 1 mV/m contour is 167,266 persons. The population was determined by summing the populations of all enumeration districts of the 1980 Census of the United States whose centroids lie within the contour. The area within the proposed 1 mV/m contour was determined by polar integration to be 5,140 square kilometers or 1,985 square miles.

NEARBY STATIONS

As shown on an attached figure, there are numerous other transmitting facilities that have been accounted for within 200 feet of the proposed operation. The blanketing contour has been calculated in accordance with FCC Rules to extend 907 meters. There are no populated areas within that distance. It is my considered opinion that there would not be any insolvable interference problems between the proposed operation and any of the existing or proposed facilities at or near the proposed site. The applicant accepts full responsibility for the elimination of any objectionable effect on existing stations.